

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 3:07CR158-P-A

RANDY ROY,

DEFENDANT.

ORDER OF CONTINUANCE

This matter comes before the court upon Defendant's Motion for Continuance [16-1]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for January 14, 2008. Defense counsel requests a continuance in order to allow additional time to review discovery, file pretrial motions, and to meet with his client.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from January 14, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's Motion for Continuance [16-1] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, March 3, 2008 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from January 14, 2008 to March 3, 2008 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is February 11, 2008; and

(5) The deadline for submitting a plea agreement is February 19, 2008.

SO ORDERED this the 28th day of December, A.D., 2007.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE